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THOMAS VINCENT GIRARDI

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
THOMAS VINCENT GIRARDI,  
  
Defendant.

Case No. 2:23-cr-00047-JLS-1

***EX PARTE APPLICATION FOR  
ORDER TO FILE DOCUMENTS  
UNDER SEAL; MEMORANDUM OF  
POINTS AND AUTHORITIES;  
DECLARATION OF COUNSEL***

Thomas Vincent Girardi, by and through the undersigned, applies to this Court  
for an order that the following pleadings, lodged herewith, be filed under seal  
Defendant's Motion for Order Finding Incompetency.

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1           This application is based upon the attached memorandum of points an authorities  
2 and the declaration of counsel.

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4                               Respectfully submitted,  
5                               CUAUHTEMOC ORTEGA  
6                               Federal Public Defender

7   DATED: July 5, 2023

8                               By /s/ Craig A. Harbaugh  
9                               CRAIG A. HARBAUGH  
10                              GEORGINA WAKEFIELD  
11                              J. ALEJANDRO BARRIENTOS  
12                              Deputy Federal Public Defenders  
13                              Attorneys for THOMAS VINCENT GIRARDI  
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**MEMORANDUM OF POINTS AND AUTHORITIES**

This Court is empowered to seal documents under appropriate circumstances. *See United States v. Mann*, 829 F.2d 849, 853 (9th Cir. 1987); Central District of California Local Rule 79-5.1. The attached motion refers to and quotes confidential expert reports that were previously filed under seal pursuant to Court order. Private medical records are also attached and are relied upon and quoted extensively. Accordingly, the defense seeks to protect the privacy of the confidential and medical information contained in the motion and limit disclosure to the Court and opposing counsel.

Respectfully submitted,  
CUAUHTEMOC ORTEGA  
Federal Public Defender

DATED: July 5, 2023

By /s/ Craig A. Harbaugh  
CRAIG A. HARBAUGH  
Deputy Federal Public Defender  
Attorney for THOMAS VINCENT GIRARDI

**DECLARATION OF COUNSEL**

I, Craig A. Harbaugh, hereby state and declare as follows:

1. I serve as a Deputy Federal Public Defender for the Office of the Federal Public Defender in the Central District of California.

2. The defense's motion references, including extensive quotations from expert reports previously filed under seal. Further, the motion includes extensive medical records and personal identifying information. Accordingly, it is appropriate to seal the pleading and limit disclosure to the Government and the defense.

3. The defense sought the government's position regarding sealing and counsel indicated that it opposes the request.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED: July 5, 2023

By /s/ Craig A. Harbaugh

CRAIG A. HARBAUGH  
Deputy Federal Public Defender  
Attorney for THOMAS VINCENT GIRARDI